

[COMMITTEE PRINT]

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**[PROPOSED RECONCILIATION
PROVISION]**

1 **Subtitle D—Communications**

2 **SEC. 3301. SPECTRUM AUCTIONS.**

3 (a) EXTENSION AND EXPANSION OF AUCTION AU-
4 THORITY.—

5 (1) AMENDMENTS.—Section 309(j) of the Com-
6 munications Act of 1934 (47 U.S.C. 309(j)) is
7 amended—

8 (A) by striking paragraphs (1) and (2) and
9 inserting in lieu thereof the following:

10 “(1) GENERAL AUTHORITY.—If, consistent with
11 the obligations described in paragraph (6)(E), mutu-
12 ally exclusive applications are accepted for any ini-
13 tial license or construction permit which will involve
14 an exclusive use of the electromagnetic spectrum,
15 then the Commission shall grant such license or per-
16 mit to a qualified applicant through a system of
17 competitive bidding that meets the requirements of
18 this subsection.

19 “(2) EXEMPTIONS.—The competitive bidding
20 authority granted by this subsection shall not apply

1 to licenses or construction permits issued by the
2 Commission—

3 “(A) that, as the result of the Commission
4 carrying out the obligations described in para-
5 graph (6)(E), are not mutually exclusive;

6 “(B) for public safety radio services, in-
7 cluding private internal radio services used by
8 non-Government entities, that—

9 “(i) protect the safety of life, health,
10 or property; and

11 “(ii) are not made commercially avail-
12 able to the public;

13 “(C) for initial licenses or construction
14 permits assigned by the Commission to existing
15 terrestrial broadcast licensees for new terres-
16 trial digital television services; or

17 “(D) for public telecommunications serv-
18 ices, as defined in section 397(14) of the Com-
19 munications Act of 1934 (47 U.S.C. 397(14)),
20 when the license application is for channels re-
21 served for noncommercial use.”;

22 (B) in paragraph (3)—

23 (i) by inserting after the second sen-
24 tence the following new sentence: “The
25 Commission shall, directly or by contract,

1 provide for the design and conduct (for
2 purposes of testing) of competitive bidding
3 using a contingent combinatorial bidding
4 system that permits prospective bidders to
5 bid on combinations or groups of licenses
6 in a single bid and to enter multiple alter-
7 native bids within a single bidding round.”;

8 (ii) by striking “and” at the end of
9 subparagraph (C);

10 (iii) by striking the period at the end
11 of subparagraph (D) and inserting “;
12 and”; and

13 (iv) by adding at the end the following
14 new subparagraph:

15 “(E) ensuring that, in the scheduling of
16 any competitive bidding under this subsection,
17 an adequate period is allowed—

18 “(i) before issuance of bidding rules,
19 to permit notice and comment on proposed
20 auction procedures; and

21 “(ii) after issuance of bidding rules, to
22 ensure that interested parties have a suffi-
23 cient time to develop business plans, assess
24 market conditions, and evaluate the avail-

1 ability of equipment for the relevant serv-
2 ices.”;

3 (C) in paragraph (8)—

4 (i) by striking subparagraph (B); and

5 (ii) by redesignating subparagraph
6 (C) as subparagraph (B);

7 (D) in paragraph (11), by striking “1998”
8 and inserting “2002”; and

9 (E) in paragraph (13)(F), by striking
10 “September 30, 1998” and inserting “the date
11 of enactment of the Balanced Budget Act of
12 1997”.

13 (2) CONFORMING AMENDMENT.—Subsection (i)
14 of section 309 of the Communications Act of 1934
15 (47 U.S.C. 309(i)) is repealed.

16 (3) EFFECTIVE DATE.—The amendment made
17 by paragraph (1)(A) shall not apply with respect to
18 any license or permit for which the Federal Commu-
19 nications Commission has accepted mutually exclu-
20 sive applications on or before the date of enactment
21 of this Act.

22 (b) COMMISSION OBLIGATION TO MAKE ADDITIONAL
23 SPECTRUM AVAILABLE BY AUCTION.—

24 (1) IN GENERAL.—The Federal Communica-
25 tions Commission shall complete all actions nec-

1 essary to permit the assignment, by September 30,
2 2002, by competitive bidding pursuant to section
3 309(j) of the Communications Act of 1934 (47
4 U.S.C. 309(j)) of licenses for the use of bands of
5 frequencies that—

6 (A) individually span not less than 25
7 megahertz, unless a combination of smaller
8 bands can, notwithstanding the provisions of
9 paragraph (7) of such section, reasonably be ex-
10 pected to produce greater receipts;

11 (B) in the aggregate span not less than
12 100 megahertz;

13 (C) are located below 3 gigahertz;

14 (D) have not, as of the date of enactment
15 of this Act—

16 (i) been designated by Commission
17 regulation for assignment pursuant to such
18 section;

19 (ii) been identified by the Secretary of
20 Commerce pursuant to section 113 of the
21 National Telecommunications and Infor-
22 mation Administration Organization Act;

23 (iii) been allocated for Federal Gov-
24 ernment use pursuant to section 305 of the

1 Communications Act of 1934 (47 U.S.C.
2 305);

3 (iv) been designated in section 3303
4 of this Act; or

5 (v) been allocated for unlicensed use
6 pursuant to part 15 of the Commission's
7 regulations (47 C.F.R. Part 15), if the
8 competitive bidding for licenses would
9 interfere with operation of end-user prod-
10 ucts permitted under such regulations; and

11 (E) notwithstanding section 115(b)(1)(B)
12 of the National Telecommunications and Infor-
13 mation Administration Organization Act (47
14 U.S.C. 925(b)(1)(B)) or any proposal pursuant
15 to such section, include frequencies at 1,710–
16 1,755 megahertz.

17 (2) CRITERIA FOR REASSIGNMENT.—In making
18 available bands of frequencies for competitive bid-
19 ding pursuant to paragraph (1), the Commission
20 shall—

21 (A) seek to promote the most efficient use
22 of the spectrum;

23 (B) take into account the cost to incum-
24 bent licensees of relocating existing uses to

1 other bands of frequencies or other means of
2 communication; and

3 (C) comply with the requirements of inter-
4 national agreements concerning spectrum allo-
5 cations.

6 (3) NOTIFICATION TO NTIA.—The Commission
7 shall notify the Secretary of Commerce if—

8 (A) the Commission is not able to provide
9 for the effective relocation of incumbent licens-
10 ees to bands of frequencies that are available to
11 the Commission for assignment; and

12 (B) the Commission has identified bands
13 of frequencies that are—

14 (i) suitable for the relocation of such
15 licensees; and

16 (ii) allocated for Federal Government
17 use, but that could be reallocated pursuant
18 to part B of the National Telecommuni-
19 cations and Information Administration
20 Organization Act (as amended by this
21 Act).

22 (4) PROTECTION OF SPACE RESEARCH USES.—
23 The licenses assigned pursuant to paragraph (1)
24 shall require licensees to avoid interference with
25 communications in space research and earth explo-

1 ration-satellite services authorized under notes 750A
2 and US90 to section 2.106 of the regulations of the
3 Federal Communications Commission (47 C.F.R.
4 2.106) as in effect on the date of enactment of this
5 Act.

6 (c) IDENTIFICATION AND REALLOCATION OF FRE-
7 QUENCIES.—The National Telecommunications and Infor-
8 mation Administration Organization Act (47 U.S.C. 901
9 et seq.) is amended—

10 (1) in section 113, by adding at the end the fol-
11 lowing new subsection:

12 “(f) ADDITIONAL REALLOCATION REPORT.—If the
13 Secretary receives a notice from the Commission pursuant
14 to section 3301(b)(3) of the Balanced Budget Act of 1997,
15 the Secretary shall prepare and submit to the President,
16 the Commission, and the Congress a report recommending
17 for reallocation for use other than by Federal Government
18 stations under section 305 of the 1934 Act (47 U.S.C.
19 305), bands of frequencies that are suitable for the uses
20 identified in the Commission’s notice. The Commission
21 shall, not later than one year after receipt of such report,
22 prepare, submit to the President and the Congress, and
23 implement, a plan for the immediate allocation and assign-
24 ment of such frequencies under the 1934 Act to incumbent

1 licences described in section 3301(b)(3) of the Balanced
2 Budget Act of 1997.”; and

3 (2) in section 114(a)(1), by striking “(a) or
4 (d)(1)” and inserting “(a), (d)(1), or (f)”.

5 (d) IDENTIFICATION AND REALLOCATION OF
6 AUCTIONABLE FREQUENCIES.—The National Tele-
7 communications and Information Administration Organi-
8 zation Act (47 U.S.C. 901 et seq.) is amended—

9 (1) in section 113(b)—

10 (A) by striking the heading of paragraph
11 (1) and inserting “INITIAL REALLOCATION RE-
12 PORT”;

13 (B) by inserting “in the first report re-
14 quired by subsection (a)” after “recommend for
15 reallocation” in paragraph (1);

16 (C) by inserting “or (3)” after “paragraph
17 (1)” each place it appears in paragraph (2);
18 and

19 (D) by inserting after paragraph (2) the
20 following new paragraph:

21 “(3) SECOND REALLOCATION REPORT.—In ac-
22 cordance with the provisions of this section, the Sec-
23 retary shall recommend for reallocation in the sec-
24 ond report required by subsection (a), for use other
25 than by Federal Government stations under section

1 305 of the 1934 Act (47 U.S.C. 305), a band or
2 bands of frequencies that—

3 “(A) in the aggregate span not less than
4 20 megahertz;

5 “(B) individually span not less than 20
6 megahertz, unless a combination of smaller
7 bands can reasonably be expected to produce
8 greater receipts;

9 “(C) are located below 3 gigahertz; and

10 “(D) meet the criteria specified in para-
11 graphs (1) through (5) of subsection (a).”; and
12 (2) in section 115—

13 (A) in subsection (b), by striking “the re-
14 port required by section 113(a)” and inserting
15 “the initial reallocation report required by sec-
16 tion 113(a)”; and

17 (B) by adding at the end the following new
18 subsection:

19 “(c) ALLOCATION AND ASSIGNMENT OF FRE-
20 QUENCIES IDENTIFIED IN THE SECOND REALLOCATION
21 REPORT.—With respect to the frequencies made available
22 for reallocation pursuant to section 113(b)(3), the Com-
23 mission shall, not later than one year after receipt of the
24 second reallocation report required by such section, pre-
25 pare, submit to the President and the Congress, and im-

1 plement, a plan for the immediate allocation and assign-
2 ment under the 1934 Act of all such frequencies in accord-
3 ance with section 309(j) of such Act.”.

4 (e) MINIMUM RECOVERY FOR PUBLIC REQUIRED.—

5 (1) METHODOLOGY TO SECURE MINIMUM
6 AMOUNTS REQUIRED.—In establishing, pursuant to
7 section 309(j)(3) of the Communications Act of
8 1934 (47 U.S.C. 309(j)(3)), a competitive bidding
9 methodology with respect to the frequencies required
10 to be assigned by competitive bidding under sub-
11 section (b) of this section and section 115(c) of the
12 National Telecommunications and Information Ad-
13 ministration Organization Act (47 U.S.C. 925(c)),
14 the Commission shall establish procedures that are
15 designed to secure winning bids totaling not less
16 than two-thirds of \$7,500,000,000.

17 (2) AUTHORITY.—In establishing such meth-
18 odology, the Commission is authorized—

19 (A) to partition the total required to be ob-
20 tained under paragraph (1) among separate
21 competitive bidding proceedings, or among sep-
22 arate bands, regions, or markets;

23 (B) to void any such separated competitive
24 bidding proceeding that fails to obtain the par-

1 tioned subtotal that pertains to that proceed-
2 ing; and

3 (C) to prescribe minimum bids or other
4 bidding requirements to obtain such total or
5 subtotal.

6 (3) LICENSES WITHHELD.—Notwithstanding
7 any other requirement of this section, or the amend-
8 ments made by this section, the Commission shall
9 refrain from conducting any competitive bidding
10 pursuant to the methodology established pursuant to
11 this subsection unless the Commission determines
12 that such methodology will secure winning bids to-
13 taling not less than two-thirds of \$7,500,000,000.

14 (4) AUTHORITY TO REBID AT A LATER TIME TO
15 SECURE STATUTORY OBJECTIVES.—Nothing in para-
16 graph (2) or (3) shall preclude or limit the Commis-
17 sion from assigning the frequencies described in
18 paragraph (1) by competitive bidding at such later
19 date (than the date required by this section) as the
20 Commission determines, in its discretion, will better
21 attain the objectives of recovering for the public a
22 fair portion of the value of the public spectrum re-
23 source and avoiding unjust enrichment.

1 **SEC. 3302. AUCTION OF RECAPTURED BROADCAST TELE-**
2 **VISION SPECTRUM.**

3 Section 309(j) of the Communications Act of 1934
4 (47 U.S.C. 309(j)) is amended by adding at the end the
5 following new paragraph:

6 “(14) AUCTION OF RECAPTURED BROADCAST
7 TELEVISION SPECTRUM.—

8 “(A) LIMITATIONS ON TERMS OF TERRES-
9 TRIAL TELEVISION BROADCAST LICENSES.—A
10 television license that authorizes analog tele-
11 vision services may not be renewed to authorize
12 such service for a period that extends beyond
13 December 31, 2006. The Commission shall
14 grant by regulation an extension of such date to
15 licensees in a market if the Commission deter-
16 mines that more than 5 percent of households
17 in such market continue to rely exclusively on
18 over-the-air terrestrial analog television signals.

19 “(B) SPECTRUM REVERSION AND RE-
20 SALE.—

21 “(i) The Commission shall ensure
22 that, when the authority to broadcast ana-
23 log television services under a license ex-
24 pires pursuant to subparagraph (A), each
25 licensee shall return spectrum according to

1 the Commission's direction and the Com-
2 mission shall reclaim such spectrum.

3 “(ii) Licensees for new services occu-
4 pying spectrum reclaimed pursuant to
5 clause (i) shall be selected in accordance
6 with this subsection. The Commission shall
7 start such selection process by July 1,
8 2001, with payment pursuant to rules es-
9 tablished by the Commission under this
10 subsection.

11 “(C) MINIMUM RECOVERY FOR PUBLIC RE-
12 QUIRED.—

13 “(i) METHODOLOGY TO SECURE MINI-
14 MUM AMOUNTS REQUIRED.—In establish-
15 ing, pursuant to section 309(j)(3) of the
16 Communications Act of 1934 (47 U.S.C.
17 309(j)(3)), a competitive bidding methodol-
18 ogy with respect to the frequencies re-
19 quired to be assigned by competitive bid-
20 ding under subparagraph (B) of this para-
21 graph, the Commission shall establish pro-
22 cedures that are designed to secure win-
23 ning bids totaling not less than two-thirds
24 of \$4,000,000,000.

1 “(ii) AUTHORITY.—In establishing
2 such methodology, the Commission is au-
3 thorized—

4 “(I) to partition the total re-
5 quired to be obtained under clause (i)
6 among separate competitive bidding
7 proceedings, or among separate
8 bands, regions, or markets;

9 “(II) to void any such separated
10 competitive bidding proceeding that
11 fails to obtain the partitioned subtotal
12 that pertains to that proceeding; and

13 “(III) to prescribe minimum bids
14 or other bidding requirements to ob-
15 tain such aggregate total.

16 “(iii) LICENSES WITHHELD.—Not-
17 withstanding any other requirement of this
18 paragraph, the Commission shall refrain
19 from conducting any competitive bidding
20 pursuant to the methodology established
21 pursuant to this subparagraph unless the
22 Commission determines that such meth-
23 odology will secure winning bids totaling
24 not less than two-thirds of
25 \$4,000,000,000.

“(iv) AUTHORITY TO REBID AT A
LATER TIME TO SECURE STATUTORY OB-
JECTIVES.—Nothing in clause (ii) or (iii)
shall preclude or limit the Commission
from assigning the frequencies described in
clause (i) by competitive bidding at such
later date (than the date required by this
paragraph) as the Commission determines,
in its discretion, will better attain the ob-
jectives of recovering for the public a fair
portion of the value of the public spectrum
resource and avoiding unjust enrichment.

“(D) CERTAIN LIMITATIONS ON QUALIFIED
BIDDERS PROHIBITED.—In prescribing any reg-
ulations relating to the qualification of bidders
for spectrum reclaimed pursuant to subpara-
graph (B)(i), the Commission shall not—

18 “(i) preclude any party from being a
19 qualified bidder for spectrum that is allo-
20 cated for any use that includes digital tele-
21 vision service on the basis of—

22 “(I) the Commission’s duopoly
23 rule (47 C.F.R. 73.3555(b)); or

1 “(II) the Commission’s news-
2 paper cross-ownership rule (47 C.F.R.
3 73.3555(d)); or

4 “(ii) apply either such rule to preclude
5 such a party that is a successful bidder in
6 a competitive bidding for such spectrum
7 from using such spectrum for digital tele-
8 vision service.

9 “(E) DEFINITIONS.—As used in this para-
10 graph:

11 “(i) The term ‘digital television serv-
12 ice’ means television service provided using
13 digital technology to enhance audio quality
14 and video resolution, as further defined in
15 the Memorandum Opinion, Report, and
16 Order of the Commission entitled ‘Ad-
17 vanced Television Systems and Their Im-
18 pact Upon the Existing Television Service’,
19 MM Docket No. 87–268 and any subse-
20 quent Commission proceedings dealing
21 with digital television.

22 “(ii) The term ‘analog television serv-
23 ice’ means service provided pursuant to the
24 transmission standards prescribed by the

1 Commission in section 73.682(a) of its reg-
2 ulation (47 CFR 73.682(a)).”.

3 **SEC. 3303. ALLOCATION AND ASSIGNMENT OF NEW PUBLIC**
4 **SAFETY AND COMMERCIAL LICENSES.**

5 (a) IN GENERAL.—The Federal Communications
6 Commission shall, not later than January 1, 1998, allocate
7 on a national, regional, or market basis, from radio spec-
8 trum between 746 megahertz and 806 megahertz—

9 (1) 24 megahertz of that spectrum for public
10 safety services according to the terms and conditions
11 established by the Commission, unless the Commis-
12 sion determines that the needs for public safety serv-
13 ices can be met in particular areas with allocations
14 of less than 24 megahertz; and

15 (2) the remainder of that spectrum for commer-
16 cial purposes to be assigned by competitive bidding
17 in accordance with section 309(j).

18 (b) ASSIGNMENT.—The Commission shall—

19 (1) assign the licenses for public safety created
20 pursuant to subsection (a) no later than March 31,
21 1998; and

22 (2) commence competitive bidding for the com-
23 mercial licenses created pursuant to subsection (a)
24 no later than July 1, 2001.

1 (c) LICENSING OF UNUSED FREQUENCIES FOR PUB-
2 LIC SAFETY RADIO SERVICES.—

3 (1) USE OF UNUSED CHANNELS FOR PUBLIC
4 SAFETY.—It shall be the policy of the Commission,
5 notwithstanding any other provision of this Act or
6 any other law, to waive whatever licensee eligibility
7 and other requirements (including bidding require-
8 ments) are applicable in order to permit the use of
9 unassigned frequencies for public safety purposes by
10 a State or local governmental agency upon a show-
11 ing that—

12 (A) no other existing satisfactory public
13 safety channel is immediately available to sat-
14 isfy the requested use;

15 (B) the proposed use is technically feasible
16 without causing harmful interference to existing
17 stations in the frequency band entitled to pro-
18 tection from such interference under the rules
19 of the Commission; and

20 (C) use of the channel for public safety
21 purposes is consistent with other existing public
22 safety channel allocations in the geographic
23 area of proposed use.

24 (2) APPLICABILITY.—Paragraph (1) shall apply
25 to any application that is pending before the Federal

1 Communications Commission, or that is not finally
2 determined under either section 402 or 405 of the
3 Communications Act of 1934 (47 U.S.C. 402, 405)
4 on May 15, 1997, or that is filed after such date.

5 (d) CONDITIONS ON LICENSES.—With respect to
6 public safety and commercial licenses granted pursuant to
7 this subsection, the Commission shall—

8 (1) establish interference limits at the bound-
9 aries of the spectrum block and service area;

10 (2) establish any additional technical restric-
11 tions necessary to protect full-service analog tele-
12 vision service and digital television service during a
13 transition to digital television service; and

14 (3) permit public safety and commercial licens-
15 ees—

16 (A) to aggregate multiple licenses to create
17 larger spectrum blocks and service areas; and

18 (B) to disaggregate or partition licenses to
19 create smaller spectrum blocks or service areas.

20 (e) MINIMUM RECOVERY FOR PUBLIC REQUIRED.—

21 (1) METHODOLOGY TO SECURE MINIMUM
22 AMOUNTS REQUIRED.—In establishing, pursuant to
23 section 309(j)(3) of the Communications Act of
24 1934 (47 U.S.C. 309(j)(3)), a competitive bidding
25 methodology with respect to the frequencies required

1 to be assigned by competitive bidding under this sec-
2 tion, the Commission shall establish procedures that
3 are designed to secure winning bids totaling not less
4 than two-thirds of \$1,900,000,000.

5 (2) AUTHORITY.—In establishing such meth-
6 odology, the Commission is authorized—

7 (A) to partition the total required to be ob-
8 tained under paragraph (1) among separate
9 competitive bidding proceedings, or among sep-
10 arate bands, regions, or markets;

11 (B) to void any such separated competitive
12 bidding proceeding that fails to obtain the par-
13 tioned subtotal that pertains to that proceed-
14 ing; and

15 (C) to prescribe minimum bids or other
16 bidding requirements to obtain such total or
17 subtotal.

18 (3) LICENSES WITHHELD.—Notwithstanding
19 any other requirement of this section, the Commis-
20 sion shall refrain from conducting any competitive
21 bidding pursuant to the methodology established
22 pursuant to this subsection unless the Commission
23 determines that such methodology will secure win-
24 ning bids totaling not less than two-thirds of
25 \$1,900,000,000.

1 (4) AUTHORITY TO REBID AT A LATER TIME TO
2 SECURE STATUTORY OBJECTIVES.—Nothing in para-
3 graph (2) or (3) shall preclude or limit the Commis-
4 sion from assigning the frequencies described in
5 paragraph (1) by competitive bidding at such later
6 date (than the date required by this section) as the
7 Commission determines, in its discretion, will better
8 attain the objectives of recovering for the public a
9 fair portion of the value of the public spectrum re-
10 source and avoiding unjust enrichment.

11 (f) PROTECTION OF QUALIFYING LOW-POWER STA-
12 TIONS.—Prior to making any allocation or assignment
13 under this section the Commission shall assure that each
14 qualifying low-power television station is assigned a fre-
15 quency below 746 megahertz to permit the continued oper-
16 ation of such station.

17 (g) DEFINITIONS.—For purposes of this section:

18 (1) COMMISSION.—The term “Commission”
19 means the Federal Communications Commission.

20 (2) DIGITAL TELEVISION SERVICE.—The term
21 “digital television service” means television service
22 provided using digital technology to enhance audio
23 quality and video resolution, as further defined in
24 the Memorandum Opinion, Report, and Order of the
25 Commission entitled ‘Advanced Television Systems

1 and Their Impact Upon the Existing Television
2 Service’, MM Docket No. 87–268 and any subse-
3 quent Commission proceedings dealing with digital
4 television.

5 (3) ANALOG TELEVISION SERVICE.—The term
6 “analog television service” means services provided
7 pursuant to the transmission standards prescribed
8 by the Commission in section 73.682(a) of its regu-
9 lation (47 CFR 73.682(a)).

10 (4) PUBLIC SAFETY SERVICES.—The term
11 “public safety services” means services—

12 (A) the sole or principal purpose of which
13 is to protect the safety of life, health, or prop-
14 erty;

15 (B) that are provided—

16 (i) by State or local government enti-
17 ties; or

18 (ii) by nongovernmental, private orga-
19 nizations that are authorized by a govern-
20 mental entity whose primary mission is the
21 provision of such services; and

22 (C) that are not made commercially avail-
23 able to the public by the provider.

24 (5) SERVICE AREA.—The term “service area”
25 means the geographic area over which a licensee

1 may provide service and is protected from inter-
2 ference.

3 (6) SPECTRUM BLOCK.—The term “spectrum
4 block” means the range of frequencies over which
5 the apparatus licensed by the Commission is author-
6 ized to transmit signals.

7 (7) QUALIFYING LOW-POWER TELEVISION STA-
8 TIONS.—A station is a qualifying low-power tele-
9 vision station if—

10 (A) during the 90 days preceding the date
11 of enactment of this Act—

12 (i) such station broadcast a minimum
13 of 18 hours per day;

14 (ii) such station broadcast an average
15 of at least 3 hours per week of program-
16 ming that was produced within the com-
17 munity of license of such station; and

18 (iii) such station was in compliance
19 with the requirements applicable to low-
20 power television stations; or

21 (B) the Commission determines that the
22 public interest, convenience, and necessity
23 would be served by treating the station as a
24 qualifying low-power television station for pur-
25 poses of this section.

1 **SEC. 3304. INQUIRY REQUIRED.**

2 The Federal Communications Commission shall, not
3 later than July 1, 1997, initiate the inquiry required by
4 section 309(j)(12) of the Communications Act of 1934 (47
5 U.S.C. 309(j)(12)) for the purposes of collecting the infor-
6 mation required for its report under each of subpara-
7 graphs (A) through (E) of such section, and shall keep
8 the Congress fully and currently informed with respect to
9 the progress of such inquiry.